

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ERIEN FRAZIER,

Plaintiff,

vs.

RJM ACQUISITIONS, LLC,

Defendant.

CASE NO. 1:14-CV-00047-WDQ

**AFFIDAVIT OF SCOTT MATTE IN SUPPORT OF DEFENDANT RJM
ACQUISITIONS, LLC'S MOTION FOR SUMMARY JUDGMENT**


I, Scott Matte, declare as follows:

1. I am the president of Defendant RJM Acquisitions, LLC ("Defendant"), a party in the lawsuit filed by Plaintiff Erien Frazier ("Plaintiff"). As the president of Defendant, I am responsible for the overall operations of the company. Based upon my review of information maintained by Defendant in the normal course of its business, I have personal knowledge of the facts set forth in this Affidavit, and if called upon to testify thereto, I could and would competently testify to the truth thereof.
2. I have reviewed Defendant's files, including reviewing collection notes related to the debt Defendant attempted to collect from Plaintiff. The collection notes were kept in the regular course of business, and were prepared contemporaneously with the events described. The notes reflect a complete account of the actions taken with regard to the debt described below.
3. On or about August 2002, Defendant purchased a Fingerhut Account from Fingerhut.
4. The information provided by Fingerhut indicated that the account was opened by an Erien Frazier and had a past due balance of \$188.28. The information also included a last known address at 1127 Pennsylvania Avenue, Hagerstown, MD 21742. Attached hereto

as Exhibit A is a true and correct copy of a print-out of some of the information provided electronically by Fingerhut when the account was purchased.

5. In connection with Defendant's attempt to collect on the Fingerhut Account, it utilized monitoring programs administered by TransUnion and Experian that are available to creditors/debt collectors. Defendant would provide the last known information of the debtor, and the programs would provide address and contact updates. These programs do not provide credit reports for the debtors.
6. Defendant utilized the TransUnion and Experian programs to obtain address updates for Erien Frazier to assist in the collection of the overdue Fingerhut Account.
7. Each time an address is updated through the TransUnion or Experian programs, a "soft inquiry" is placed upon the consumer's file within the respective credit bureau's database, letting the consumer know that a creditor has sought contact information regarding him/her.
8. These "soft inquiries" are visible only to the consumer and are not seen by a potential creditor reviewing the consumer's credit history, nor are they used in the calculation of the consumer's credit score.
9. At no time did Defendant access information regarding Plaintiff through any credit reporting agency for any purpose other than collection of the debt owned by Defendant.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this affidavit was executed on August 12, 2014, at Los Angeles, California.



Scott Matte

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing was served upon the individual(s) listed below by first class mail, postage prepaid on this 12th day of August, 2014 to:

Erien Frazier
P.O. Box 25
Hagerstown, MD 21740

Pro Se Plaintiff

/s/ Birgit Dachtera Stuart
Birgit Dachtera Stuart, Esquire
Attorney for Defendant RJM Acquisitions, LLC